1908-002 Chancery Causes: Dona Belle Collier, widow vs. W. E. Glass &c
Lee Co

Hall

CA - Other
T - Property
Women

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of LeeCounty, Virginia:

Humbly complaining your oratrix Dona Belle Collier, would respectfully show to your Honor that she is the widow of J.C.Collier, lately deceased; that she is a citizen of Lee County, and householder and head of a family; that the only live stock she owns in any way is a horse worth some $40.00 or $50.00, and a cow worth $25.00 or $30.00, and that she has no other property except a small amount of household and kitchen furniture, co sisting of nothing, which is not absolutely necessary and essential to the use of herself and hertwo little children.

Your oratis will now show your Honor that her late husband die died intestate on the 24th day of December, 1902, leaving very little estate of any kind, in fact the only peice ofproperty that he owned was the horse above referred to. The cow above named being the individual property of your oratrix.

Your oratix will now show your Honor that some time before the death of the said J.C.Collier, as aforesaid, to-wit, on the 17th dayof January,1902, he purchased from one W.E.Glass a pair of mules and a wagon, at the price as she understands of $175. Your oratrix understands that at the time said purchase was made that she signed a note with her husband for the purchaseprice of said mules and wagon, or some part thereof and that a lien was retained in said note for the purchase price of said property. This lien was docketed in the Clerk's Office of the County Court of Lee County, on July 31st, 1902. Your oratrix will now show your Honor that she is informed,beleives and charges it to be true, that prior to the time of the so-called dock eting of said lien, that the said W.E.Glass, released the lien on said mules and gave to the said J.C.Collier the right to trade the same, and in accordance with the permission thus given, the said J. C.Collier did in his life time, trade off and dispose of said mules andwagon, and that he owned neither of them at the time of his death.

Your oratrix will now show your Honor that some time ago, the date she does not know, the said W.E.Glass had a warrant served on your oratrix for the balance due on said mules. claimed by the said Glass as she was informed to be $60.00; that judgment as she is informed was rendered against her for said sum, and upon said judgment

an execution has been issued, and has been placed in the hands of J.W.Hall, deputy for W.J.Mileham, Sheriff of Lee County, and that the said Hall has levied the said execution upon the horse and cow above mentioned, which is all the live stock of any kind which your oratrix owns. The cow is her own individual property and the horse was the property as before sated of her deceased husband.

Your oratrix is advised that this property is in no way liable to debts, that she is entitled to old both the horse and the cow in her own right as a householder and head of a family, and the as the widow of her deceased husband.

Your oratirx will now inform your Honor that the said J.W. Hall has advertised said Cow for sale at Stickleysville on March 7th, 1903, and that he has advertised said horse for sale at the next April term of th County Court, and that he will sell both unless he is restrained and inhibited by your Honor's Court of chancery.

Your oratrix is unable to file the warrant, judgment, execution or levy as an exhibit with her bill, the same being in the hands of said J.W.Hall, Deputy Sheriff, and he refused to come here today, although she requested him so to do so that he could exhibit said papers to an attorney and take his opinion thereon.

Now the object of this bill is to enjoin and inhibit the said W.E.Glass and the said J.W.Hall deputy Sheriff from selling or in any way disposing of said horse and cow, so levied on as aforesaid, and to set aside said levy, and being without remedy at law, she prays your Honor's Court of Chancery to take cognizance of her cause and grant her the proper relief, and that upon the presentation of this bill that a temporay injunction restraining and inhibiting the said W.E. Glass and J.W.Hall or either of them or any person for them from selling or making any disposition whatever of said cow and horse, and that upon final hearing said injunction be made absolute, said levy released and said horse and cow restored to her, and for full general relief. May spa. issu &c.

that W. E. Glass and J. W. Hall be made parties defendants to this bill

C. T. Duncan & Geo. P. Cridlin P.Q.

Virginia, Lee County, to-wit:

This day Dona Belle Collier personally appeared before me, Geo.P.Cridlin, a notary public in and for the County of Lee and State of Virginia, and made oath that the facts stated in the foregoing bid upon her own knowledge are true and upon information derived from others she beleives to be true.

Given under my hand this March 2nd, 1903.

Geo. P. Cridlin, N. P.

Dora Bell Collins

vs

W. E. Glass. et als

This cause came on this day to be heard on the bill of the Plaintiff praying an injunction restraining and inhibiting the defendants W. E. Glass & J. W Hall Deputy sheriff for W J Milsaw sheriff of Lee from proceeding to sell the horse and cow in the bill mentioned on consideration whereof said bill being sworn to an injunction is granted the Plaintiff against the defendants and each of them in accordance of the bill. But this injunction is not to become operative until the Plaintiff or some one for her execute bond in the penalty of $100.00 before the Clerk of this court conditioned according to law March 2nd 1903.

H. A. W Sloan
Judge

To the Clerk &c,

Nora Belle Collier

vs. } Bill for Injunction

W. E. Islais et al

1903. 1st April rules Bill filed & Spa Executed and Decree Nisii

" 2nd April rules D. N. Confirmed & Cause set for hearing

Graham, Orr & Blankenship,
PATENTEES, OWNERS & MANUFACTURERS.
GRAHAM WIRE STRETCHER.

Jonesville, Virginia, 1899.

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To the honorable H.A.W.Skeen judge of the circuit court for Lee county Virginia.

The joint and seperate answer of W. E. Glass and J. W Hall to a bill of complaint exhibited against them in this honorable court by Dona Belle Collier.

Reserving the benefit of all just exceptions to said bill of complaint, for answer thereto or to so much thereof as they are advised it is material for them to answer, answering they say;

That the said Dona Belle Collier is the widow of J.C.Collier lately deceased as set out in said bill of complaint, that she is a citizen of Lee county and a housholder and the head of a family, and they suppose that it is true that the only live stock she owns in any way is the horse and the cow mentioned in said bill of complainant. It is also true as they suppose that her husband J. C. Collier died intestate on the 24th day od December 1902 leaving very little estate of any kind, but they deny that the only piece of property or live stock which he owned is the horse referred to in the said bill of complaint they also deny that the said cow was the individual property of the said complainant, but on the contrary they allege and charge that the said horse and cow was the property of the said J.C.Collier subject however to a lien ~~wherein has not been~~ hereinafter mentioned in favor of the said W.E.Glass

It is also true that on or about the 17th day of January 1902 that the said J.C. Collier purchased from your respondant W. E. Glass a pair of mules and a wagon at the price of ----- dollars, that at the time said purchase was made that the said Dona Belle Collier signed a note with her husband for the purchase price for said mules and wagon and that a lien was retained in said note for the purchase price of said property; that said lien was duly docketed in the clerks office in the county court of Lee county on the 21st day of July 1902. but it is not true that prior to the time of so calle ddocketing of said lien that the respondant W.E.Glass released the lien on said mules and gave to the said J.C.Collier a right to trade the same

Jamesville, Virginia, 1899

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but it is true that the said W. E. Glass gave the said J.C.Collier a right to trade one of said mules with the distinct understanding and agreement that the property received therefor was to stand good for the purchase price of the mule that the said J.C.Collier was given permission to trade; it is true that the said J.C.Collier in hsi life time did trade off and dispose of said mule and wagon but that one of the mules and wagon was traded without the consent of the said W.E.Glass and that the horse and cow mentioned in said bill of complaint are the direct proceeds of the payment of said mule and wagon and your respondants are advised that if the said W. E. Glass had a lien upon said mules and wagon before they were traded and as the same were traded without his consent that he has a right to a and the proceeds thereof subjectedto the payment of the said debt it is also true that the said W.E.Glass had warrant served on the said complainant for the payment due on said mules and obtained judgment therefore against the said complainant for the sum of about $60.00 and that on said judgment an execution was issued and placed in the hands of said J.W.Hall a deputy for W. J. Mileham sheriff of Lee county and the said Hall levied the said execution upon the said horse and cow; and the said property was ~~evodently~~ duly advertised for sale ~~for payment~~ as ~~was~~ is set out in said bill of complaint. But your respondents are advised that they had a righ to ~~and had~~ have said execution levied upon said property, as the said property was the direct proceeds of the sale of said mules and wagon for which said complainant is still owing a large, ~~part~~ part of the purchase price therefor; and on which the said W. E. Glass had special lien for said purchase money.

And now having fully answered the complainants said bill these respondants asks to be hence dismissed with their reasonable cost and they will ever pray etc.

Orr & Rock, p.d.

W. E. Glass et al

vs Answer.

Dora Belle Collier.

Filed in open Court
and by leave thereof.
July the 10th 1903.
A. B. Munsey clerk

Dora Bell Collier

vs.

W. L. Glasscock et als

Upon the calling of this cause the death of the Complainant, who has died since the last term of the court, was suggested and the cause is continued

Dawn Belle Collier
vs. Decree
W. E. Glass et al

Entered in O.B.
No. 8 - p - 17 -

Entered this decree
[illegible]
May 15th 1908 -

Dona Belle Collier

vs.

W. E. Glover et als.

The death of the Plaintiff in this cause having been suggested at the last Term of this Court, and There having no heirs of the said Cause is Stricken from the Docket,

Dora Belle Collier
25 Decree
W. E. Glass et als

Final

Entered in C.D.B.
No. 8 page 88 &c.

Enter this Decree
H. A. W. Sheen
Dec 11th 1905

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 300½.

The Commonwealth of Virginia:

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, that you summon N. E. Glass and J. W. Hall,

to appear at the Clerk's office of the Circuit Court of the County of Lee at the rules to be held for the said Court, on the 1st Monday in April 1903, to answer to a bill in chancery exhibited against them in our said Court by Dona Bell Collier

And have then there this writ. Witness. A. B. MUNSEY, Clerk of our said Court, at the court-house, the 4th day of March 1903 and in the 127th year of the Commonwealth.

A. B. Munsey Clerk

The necessary bond having been given by Pltff. The defendants W.E. Glass and J. W. Hall are enjoined and restrained from the selling the horse & cow in the bill and proceedings mentioned till a future order of the court. Given under my hand this the 4th day of March 1903.

A.B. Munsey Clerk.

Form No. 300½

Dona Bell Collier

vs.

SUBPŒNA IN CHANCERY.

W.E. Glass et al

C. T. Duncan p. q.

To 1st April Rules

Lee Circuit Court.

Executed March the 9th 1903 by delivering a true Copy of the within writ to W.E. Glass and J.W. Hall J.W. Hall A.S.

Dr. W.J. Milham S.L.C.